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EXAMINER

NGUYEN, NAM V

ART UNIT PAPER NUMBER

2635

DATE MAILED: 01/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/027,932

Applicant(s)

HOM ET AL.

Examiner

Nam V. Nguyen

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 11-15 and 17-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 11-15 and 17-26 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

This communication is in response to applicant's Amendment filed October 3, 2005.

An amendment to the claims 1, 9-11, 16-17 and 27-28 has been entered and made of record in the application of Hom for a "method and apparatus for providing a programmable gate security system" have been entered and made of record.

Claims 9-10, 16 and 27-28 are cancelled

Claims 1-8, 11-15, 17-26 are pending.

Response to Arguments

The information disclosure form (PTO-1449) listing the references was not enclosed in the application (i.e. no record of IDS submission). However, IDS form is not required.

Applicant's amendment and arguments with respect to claims 1-8, 11-15, 17-26, filed October 3, 2005 have been fully considered but are moot in view of the new ground(s) of rejection.

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On page 6, third paragraph, Applicant's arguments with respect to the invention in Noren does not teach or suggest that the function(s) can be selectively activated based upon a user identity of or some other criteria is not persuasive.

In response to Applicant's argument that "the function(s) can be selectively activated based upon a user identity of or some other criteria" does not include certain features of Applicant's invention, the limitations on which the Applicant relies (i.e. "selectively activating based upon a user identity or some other criteria") are not stated in the claims. It is the claims that define the claimed invention, and it is claims, not specifications that are anticipated or unpatentable. *Constant v. Advanced Micro-Devices Inc.*, 7 USPQ2d 1064.

As defined by claim 1, the separate programming module (36) of Noren is arranged for temporary connects to the control unit by connector 37 to enable parameters of operation of the door system (10) to be adjusted as required (column 3 lines 10 to 63; see Figures 1 to 5). A series of memories 42, 44, and 46 stores conditions during operations of the control unit. The memory 46 is a non-volatile memory which is used for the purpose of storing door operating parameters which are used by the control program in memory 42 to set specific operations of the automatic door 10. Clearly, the separate programming module temporary connect to a control door system, said the programming module selectively activating some functions in the memory which are defined by the programming module.

On page 7, second paragraph, Applicant's arguments with respect to the invention in Noren does not teach or suggest the selective activation of preprogrammed feature of

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the system is not persuasive. The claims in a pending application should be given their broadest reasonable interpretation. In re Pearson, 181 USPQ 641 (CCPA 1974).

As defined by claim 11, an access control system of Stobbe teaches matching the code (34) (i.e. authorization data) on the device (16) (i.e. a reading device with EEPROM 20) with a look up table of codes (46) (i.e. check data) saved in a memory of the system (28) (i.e. in a central evaluating unit) (column 4 lines 57 to 64; column 6 lines 65 to column 7 line 8; see Figures 1-2) and activating features of the security system (11) (i.e. an access control system) associated with the matched code (column 6 lines 23 to 52; see Figures 1 to 5). Clearly, an access control system selectively activated when a code on the activation device matches a code associated with one of the functions.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8, 17-20, 22-23 and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Noren (US# 5,453,736) in view of Gerken et al. (US# 4,888,702).

Referring to claims 1 and 17, Noren discloses a reprogrammable security system for limiting access to a protected area (column 2 lines 14 to 38; column 7 lines 25 to 43; see Figure 2) comprising:

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a) a movable barrier (12 or 14) (i.e. a slide door) for allowing access to a restricted area (i.e. a controlled building) (column 1 lines 32 to 39; column 3 lines 10 to 17; see Figure 1);

b) a motor (24) (i.e. a door motor) operatively attached to said barrier (12) for opening and closing said barrier (12) (column 3 lines 12 to 45; see Figures 1-2);

c) a control system (26) (i.e. a control unit) for controlling operation of said motor (24) (column 3 lines 29 to column 4 lines 33; see Figures 1 to 4) wherein said control system (10) comprises data (i.e. parameters) for enabling actions performable by said control system (10), said actions defining preprogrammed functions of said control system (10) (column 4 lines 34 to column 5 line 20; see Figures 4 and 5); and

d) an activation device (36) (i.e. a program module) semi-permanently (i.e. when the programming module is connected to the door control unit by a connector 37 through an rs-232 interface 72) to said control system (26) (i.e. a control unit) (column 3 lines 45 to 63; column 4 lines 34 to 65; see Figure 5), said activation device (36) selectively activating portions of the data (i.e. activate some functions in memory) to perform the preprogrammed functions (i.e. functions programmed in Table 1) defined by the activation device (36) (column 4 lines 48 to column 6 lines 44; see Table 1; see Figures 1 to 5).

However, Noren did not explicitly disclose a replaceable activation device semi-permanently connectable to said control system; and wherein the control system automatically reads and utilizes the data from the activation device to activate the functions of the control system.

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In the same field of endeavor of control system, Gerken et al. teaches a replaceable activation device (i.e. EPROM) semi-permanently (i.e. removable or on the zero insertion force socket to facilitate replacement) connectable to said control system (i.e. a logic controller board) (column 4 lines 14 to 23; column 9 lines 32 to 38; see Figures 1 and 3) in order to adapt the controller to diverse operating parameters and control functions easily.

One of ordinary skilled in the art recognizes the need to replace of the programmable memory chip in the logic board with a new programmable memory chip containing a different set of instruction of Gerken et al. in a programming module with the allowable range of functions values to program the security automatic door of Noren because Noren suggests it is desired to reprogramming the codes of the function values to control the door control unit (column 5 line 20 to column 6 line 44; see Figure 5 and Table 1) and Gerken et al. teach that the logic unit incorporates a microprocessor utilizing an erasable programmable memory component that is adapted to be easily replaced (column 9 lines 32 to 38) in order to adapt the controller to diverse new operating parameter and control functions easily. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to replace of the programmable memory chip in the logic board with a new programmable memory chip containing a different set of instruction of Gerken et al. in a programming module with the allowable range of functions values to program the security automatic door of Noren with the motivation for doing so would have been to replace the content of the memory for an access control system operates easily and directly.

Referring to claims 2 and 18, Noren in view of Gerken et al. disclose the security system of claims 1 and 17, Noren discloses further comprising a sensing system (52) (i.e. sensor interface to sensors) for sensing factors used by said control system (26) for determining when to open or close said gate (12) by activation of said motor (24) (column 3 lines 29 to 45; column 3 line 64 to column 4 line 33; see Figures 1-2 and 4).

Referring to claims 3-4 and 19-20, Noren in view of Gerken et al. disclose the security system of claims 1-2 and 17-18, Noren discloses wherein activation of said functions further comprises varying the operational parameters of said functions (column 5 line 21 to column 6 line 65; see Table 1).

Referring to claim 5-6, 21 and 23, Noren in view of Gerken et al. disclose the security system of claims 1-2, 17 and 19, Noren discloses wherein said control system (26) includes a socket (37) (i.e. a connector) for ease of inserting and removing said activation device (36) from said system (26) (column 3 lines 46 to 50; column 4 lines 48 to 65; see Figures 2-3).

Referring to claims 7-8 and 25-26, Noren in view of Gerken et al. disclose the security system of claims 1-2 and 17-18, Noren discloses wherein said activation device (36) has a read/write capability so that an activation code on said device (36) can be changed to allow selective activation of various features of said system (i.e. sliding door system) (column 4 lines 34 to column 6 line 44; see Figure 5 and Table 1).

Claims 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Noren (US# 5,453,736) in view of Gerken et al. (US# 4,888,702) and in further view of Stobbe (US# 5,491,471).

Referring to claim 11, Noren in view of Gerken et al. discloses a method for varying the operational parameters of a security system, to the extent as claimed with respect to claim 1 above, however, Noren in view of Gerken et al. did not explicitly disclose matching the code on the device with a look up table of codes saved in a memory of the system and activating features of the security system associated with the matched code.

In the same field of endeavor of gate operator control system, Stobbe teaches matching the code (34) (i.e. authorization data) on the device (16) (i.e. a reading device with EEPROM 20) with a look up table of codes (46) (i.e. check data) saved in a memory of the system (28) (i.e. in a central evaluating unit) (column 4 lines 57 to 64; column 6 lines 65 to column 7 line 8; see Figures 1-2) and activating features of the security system (11) (i.e. an access control system) associated with the matched code (column 6 lines 23 to 52) in order to allow access to the area.

One of ordinary skilled in the art recognizes the need to match the authorization data from a reading device with the check data stored in the central evaluating unit of Stobbe in a programming module with the allowable range of functions values to program the security automatic door of Noren in view of Gerken et al. because Noren suggests it is desired to reprogramming the codes of the function values to control the

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door control unit automatically (column 5 line 20 to column 6 line 44; see Figure 5 and Table 1) and Stobbe teaches that an authorization data is compared with check data contained within central evaluating unit to allow access to the area if authorization data matches the check data (column 6 line 65 to column 7 line 8) in order to control access of individuals to a secure area. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to match the authorization data from a reading device with the check data stored in the central evaluating unit of Stobbe in a programming module with the allowable range of functions values to program the security automatic door of Noren in view of Gerken et al. with the motivation for doing so would have been to provide a security door operating system with a programmed control unit with high level of authorized access codes.

Referring to claims 12-14, Noren in view of Gerken et al. and in further view of Stobbe disclose a method of claim 11, the claims 12-14 same in that the claims 3, 7 and 9 already addressed above therefore claims 12-14 are also rejected for the same obvious reasons given with respect to claims 3, 7 and 9.

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Noren (US# 5,453,736) in view of Gerken et al. (US# 4,888,702) and in view of Stobbe (US# 5,491,471) as applied to claim 12 and in further view of Lee (US# 5,204,663).

Referring to claim 15, Noren in view of Gerken et al. and Stobbe disclose a method of claim 12, however, Noren in view of Gerken et al. and Stobbe did not

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explicitly disclose wherein the step of changing authorization codes for an entities allowed to enter a secure area protected by said security system upon the using a code by the entity to activate opening of a security barrier controlled by the security system.

In the same field of endeavor of gate operator control system, Lee teaches the step of changing authorization codes (i.e. reprogrammable of access codes) for an entities allowed to enter a secure area protected by said security system upon the using a code by the entity to activate opening of a security barrier controlled by the security system (column 5 lines 19 to 48; see Figures 5 and 7) in order to response to unauthorized codes.

One of ordinary skilled in the art recognizes the need to change authorization codes for an entities allowed to enter a secure area protected by a security system of Lee in a programming module with the allowable range of functions values or conditions of Noren in view of Gerken et al. and Stobbe because Noren suggests it is desired to reprogramming the codes of the function values or condition to control the door control unit (column 5 line 20 to column 6 line 44; see Figure 5 and Table 1) and Lee teaches that an access code are reprogrammable by a hand-held computer (column 5 lines 19 to 27) in order to load a new access codes to avoid unauthorized used and differing levels of access. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to add change authorization codes for an entities allowed to enter a secure area protected by a security system of Lee in a programming module with the allowable range of functions values or conditions of Noren in view of Gerken et al. and Stobbe with the motivation for doing so would have been to provide a door operating system with programmed control unit with a high level of security access codes.

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Claims 22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Noren (US# 5,453,736) in view of Gerken et al. (US# 4,888,702) as applied to claims 21 and 23, and in further view of McCutchan et al. (US# 6,002,591).

Referring to claims 22 and 24, Noren in view of Gerken et al. and in view of Lee discloses a method of claims 21 and 23, however, Noren in view of Gerken et al. did not explicitly disclose wherein the device is held in the socket by a clip.

In the same field of endeavor of printed circuit board assembly, McCutchan et al. teach the device (45) (i.e. an integrated circuit device) is held in the socket (46) by a clip (65) (i.e. a spring clip) (column 4 line 46 to column 5 line 5; see Figure 1-2 and 4A) in order to capture the integrated circuit device therein.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to recognize the need to use a clip to capture an integrated circuit device therein of McCutchan et al. with a program module connect to the control unit by a connector of Noren in view of Gerken et al. because using a clip would hold the connector in place that has been shown to be desirable in the door operating system with programmed control unit that connect to a program module of Noren in view of Gerken et al.

Conclusion

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Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam V Nguyen whose telephone number is 703-305-3867. The examiner can normally be reached on Mon-Fri, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on 703-305-4704. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

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Nam Nguyen
January 22, 2006



MICHAEL HORABIK
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

